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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,064	08/01/2001	Gregory Dorfman	36.P320	4442

5514 7590 10/31/2006

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EXAMINER

HUNTSINGER, PETER K

ART UNIT PAPER NUMBER

2625

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/920,064		DORFMAN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Peter K. Huntsinger		2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-32 is/are allowed.
- 6) ☒ Claim(s) 33-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 8/16/06 have been fully considered but they are not persuasive.

The applicant argues on page 15 in essence that:

**No art rejection has been entered for claim 35.**

- a. The rejection was mislabeled as referring to claim 33 and appears directly after the first reference to claim 33. Reed et al. disclose wherein the service control includes at least one of starting, terminating, aborting and resuming of the service (standard file privileges of the provider program 12, col. 71, lines 1-11).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. Patent 6,345,288, and further in view of Beckwith et al. Patent 6,330,598.

Referring to claim 33, Reed et al. disclose a service managing device, comprising; first determining means for determining whether a user who accesses the service managing device has a first authority to initially set a service providing content

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(password, col. 26, lines 17-21); executing means for executing the initial setting of the service content when the first determining means determines that the user has the authority to initially set the service content (col. 26, lines 27-31); and second determining means for determining whether the user has a second authority to execute a control process of the service excluding the authority to initially set the service content, wherein the executing means executes the service control process when the second determining means that the user has the second authority (standard file privileges of the provider program 12, col. 71, lines 1-11). Reed et al. do not disclose expressly the operation of adding or deleting a content service provider. Beckwith et al. disclose the operation of adding or deleting a content service provider (col. 13-14, lines 55-67, 1-2). Reed et al. and Beckwith et al. are combinable because they are from the same field of computer networking. At the time of the invention, it would have obvious to a person of ordinary skill in the art to add or delete a content service provider. The motivation for doing so would have been to allow only authorized users to configure content. Therefore, it would have been obvious to combine Beckwith et al. with Reed et al. to obtain the invention as specified in claim 33.

Referring to claim 35, Reed et al. disclose wherein the service control includes at least one of starting, terminating, aborting and resuming of the service (standard file privileges of the provider program 12, col. 71, lines 1-11)

4. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al. Patent 6,345,288 and Beckwith et al. Patent 6,330,598 as applied to claim 33 above, and further in view of Logan et al. Patent 5,721,827.

Referring to claim 34, Reed et al. disclose the initial setting of the service content but do not disclose expressly a connection to a library. Logan et al. disclose a connection to a library (col. 1, lines 48-52). Reed et al. and Logan et al. are combinable because they are from the same field of computer networking. At the time of the invention, it would have been obvious to provide a connection to a library. The motivation for doing so would have been to provide a plurality of services to an individual. Therefore, it would have been obvious to combine Logan et al. with Reed et al. and Beckwith et al. as specified in claim 34.

#### ***Allowable Subject Matter***

5. Claims 1-32 are allowed.

#### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

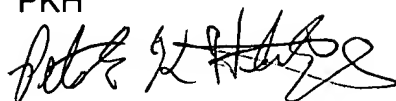
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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PKH

A handwritten signature in black ink, appearing to be 'PKH' followed by a stylized flourish.

*Kimberly A. Williams*

KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER